## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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) Case No. 10-CR-0068-CVE
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## **OPINION AND ORDER**

Now before the Court is the Government's Motion in Limine (Dkt. # 23). Defendant Michael C. Hawkes is charged in a six-count indictment (Dkt. # 2) with five counts of bank fraud in violation of 18 U.S.C. § 1344(1) and one count of making a false statement to a federally-insured banking institution in violation of 18 U.S.C. § 1014.

The United States moves for an order "that would require the defendant to make a good faith showing of relevance before attempting to introduce any evidence regarding the [alleged victim] financial institutions' banking practices or any conduct not directly related to the loan agreements at issue in this case." Dkt. # 23, at 4. The United States does not seek to exclude any particular evidence, but makes the motion because "defense counsel has raised vague allegations concerning the conduct of one of the victim financial institutions involved in this case." Id. at 2.

The Court cannot determine the relevance of general categories of hypothetical evidence at this time. The Court will not speculate as to the nature of the evidence the defendant may seek to introduce, nor will it speculate as to the relevance of such evidence. The United States may, as appropriate, object to the relevance of particular evidence sought to be introduced at trial.

**IT IS THEREFORE ORDERED** that the Government's Motion in Limine (Dkt. # 23) is **denied**.

IT IS SO ORDERED this 29th day of June, 2010.

CLAIRE V. EAGAN, CHIEF JUDGE UNITED STATES DISTRICT COURT